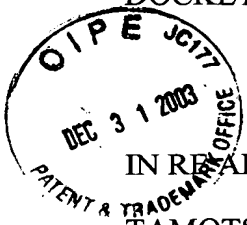


DOCKET NO: 216583US0X CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

TAMOTSU KONDOW, ET AL. :

EXAMINER: LU, FRANK WEI MIN

SERIAL NO: 09/996,591 :

DATE OF ALLOW: 10/07/03

FILED: NOVEMBER 30, 2001 :

GROUP ART UNIT: 1634

FOR: METHODS FOR DETERMINING :
NUCLEOTIDE SEQUENCES OF SINGLE
NUCLEIC ACID MOLECULES

PETITION UNDER 37 CFR § 1.182

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Petitioners respectfully request that the order of names of the joint inventors be changed according to the substitute Declaration and supplemental application data sheet attached hereto.

Under the provisions of MPEP §605.04(f), Petitioners may petition to change the order of names by timely filing a petition under 37 CFR §1.182, as well as the petition fee set forth in 37 CFR §1.17(h). In further support of the petition, Petitioners enclose and file herewith a substitute Declaration and supplemental application data sheet. The petition fee set forth in 37 CFR §1.17(h) is also attached.

01/02/2004 HVLONG1 00000102 09996591

01 FC:1460

130.00 OP

According to the provision granted Petitioners under MPEP §605.04(f), and the enclosed documents, Petitioners respectfully request that the Petition be GRANTED and the order of the inventors be changed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Customer Number
22850

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Daniel J. Pereira, Ph.D.
Registration No. 45,518



APPLICATION DATA SHEET

APPLICATION INFORMATION

Application Number:: 09/996,591
Application Date:: 11/30/01
Application Type:: REGULAR
Subject Matter:: UTILITY
CD-ROM or CD-R?:: NONE
Title:: METHODS FOR DETERMINING
NUCLEOTIDE SEQUENCES OF
SINGLE NUCLEIC ACID MOLECULES

Attorney Docket Number:: 216583US0XCONT
Total Drawing Sheets:: 2

INVENTOR INFORMATION

Applicant Authority Type:: INVENTOR
Primary Citizenship Country:: Japan
Status:: FULL CAPACITY
Given Name:: Yoshihiro
Family Name:: TAKEDA
City of Residence:: Urayasu-shi
State or Province of Residence:: Chiba
Country of Residence:: Japan
Street of Mailing Address:: 3-6-5, Imagawa
City of Mailing Address:: Urayasu-shi
State or Province of Mailing Address:: Chiba
Country of Mailing Address:: Japan
Postal or Zip Code of Mailing Address:: 279-0022

Applicant Authority Type:: INVENTOR
Primary Citizenship Country:: Japan
Status:: FULL CAPACITY
Given Name:: Fumitaka
Family Name:: MAFUNE
City of Residence:: Koto-ku
State or Province of Residence:: Tokyo
Country of Residence:: Japan
Street of Mailing Address:: 2-7-5-1905, Shinonome
City of Mailing Address:: Koto-ku
State or Province of Mailing Address:: Tokyo
Country of Mailing Address:: Japan
Postal or Zip Code of Mailing Address:: 135-0062

Applicant Authority Type:: INVENTOR
Primary Citizenship Country:: Japan
Status:: FULL CAPACITY
Given Name:: Tamotsu
Family Name:: KONDOW
City of Residence:: Koto-ku
State or Province of Residence:: Tokyo
Country of Residence:: Japan
Street of Mailing Address:: 1-3-1-1002A, Echujima
City of Mailing Address:: Koto-ku
State or Province of Mailing Address:: Tokyo
Country of Mailing Address:: Japan
Postal or Zip Code of Mailing Address:: 135-0044

CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 22850

REPRESENTATIVE INFORMATION

Representative Customer Number:: 22850

DOMESTIC PRIORITY INFORMATION

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation of	PCT/JP01/02806	03/30/01

FOREIGN PRIORITY INFORMATION

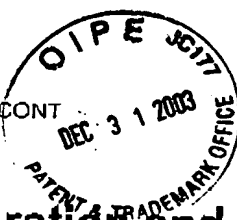
FOREIGN PRIORITY INFORMATION

Application Number:	Country::	Filing Date::	Priority Claimed::
2000/094727	Japan	03/30/00	YES

ASSIGNMENT INFORMATION

Assignee Name:: Toyota Jidosha Kabushiki Kaisha
Street of Mailing Address:: 1, Toyota-cho
City of Mailing Address:: Toyota-shi
State or Province of Mailing Address:: Aichi
Country of Mailing Address:: Japan
Postal or Zip Code of Mailing Address:: 471-8571

Assignee Name:: Genesis Research Institute, Incorporated
Street of Mailing Address:: 4-1-35, Noritake-Shinmachi, Nishi-ku
City of Mailing Address:: Nagoya-shi
State or Province of Mailing Address:: Aichi
Country of Mailing Address:: Japan
Postal or Zip Code of Mailing Address:: 451-0051



Supplemental

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者（下記の名称が複数の場合）であると信じています。

上記発明の明細書は、

☐ 本書に添付されています。

☐ _____ 月 _____ 日に提出され、米国出願番号または特

許協定条約国際出願番号を

_____ とし、

(該当する場合) _____ に訂正されました。

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

私は、進歩規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

METHODS FOR DETERMINING NUCLEOTIDE SEQUENCES OF SINGLE NUCLEIC ACID MOLECULES

the specification of which

☐ is attached hereto.

☒ was filed on November 30, 2001

as United States Application Number or PCT International Application Number

09/996,591 and was amended on

_____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a) - (d)項又は365条 (b) 項に基づき下記の、米国外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

Prior Foreign Application(s)
外国での先行出願

<u>94727/2000</u> (Number) (番号)	<u>Japan</u> (Country) (国名)
<u> </u> (Number) (番号)	<u> </u> (Country) (国名)

私は、第35編米国法典119条 (e) 項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

<u> </u> (Application No.) (出願番号)	<u> </u> (Filing Date) (出願日)
--	---

私は、下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条 (c) に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

<u>PCT/JP01/02806</u> (Application No.) (出願番号)	<u>March 30, 2001</u> (Filing Date) (出願日)
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<u> </u> (Application No.) (出願番号)	<u> </u> (Filing Date) (出願日)
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I hereby claim foreign priority under Title 35, United States Code, §119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Claimed
優先権主張

<u>30 March 2000</u> (Day/Month/Year Filed) (出願年月日)	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No はい いいえ
<u> </u> (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> <input type="checkbox"/> Yes No はい いいえ

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u> </u> (Application No.) (出願番号)	<u> </u> (Filing Date) (出願日)
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>Pending</u> (Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)

<u> </u> (Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
--

Japanese Language Declaration (日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じているところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

委任状：私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。
(弁理士、または代理人の指名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

Customer Number
22850

書類送付先

Send Correspondence to:

Customer Number
22850

直接電話連絡先：(名前及び電話番号)

Direct Telephone calls to: (name and telephone number)

(703) 413-3000

単独発明者または第 1 の共同発明者の氏名	Full name of sole or first inventor Yoshihiro TAKEDA	
発明者の署名	日付	Date
	Yoshihiro Takeda	Dec. 17, 2003
住所	Residence 101, Bigfarm, 3-6-5, Imagawa, Urayasu-shi, Chiba 279-0022, Japan	
国籍	Citizenship Japan	
郵便の宛先	Mailing Address Same as above	

Japanese Language Declaration
(日本語宣言書)

第 2 の共同発明者の氏名	Full nam of second joint inventor, if any Fumitaka MAFUNE
第 2 の共同発明者の署名 日付	Second inventor's signature Date <i>Fumitaka Mafune</i> Dec.17, 2003
住所	Residence 2-7-5-1905, Shinonome, Koto-ku, Tokyo 135-0062 Japan
国籍	Citizenship Japan
郵便の宛先	Mailing Address Same as above

第 3 の共同発明者の氏名	Full name of third joint inventor, if any Tamotsu KONDOW
第 3 の共同発明者の署名 日付	Third inventor's signature Date <i>Tamotsu Kondow</i> Dec.17, 2003
住所	Residence 1-3-1-1002A, Echujima, Koto-ku, Tokyo 135-0044 Japan
国籍	Citizenship Japan
郵便の宛先	Mailing Address Same as above

92

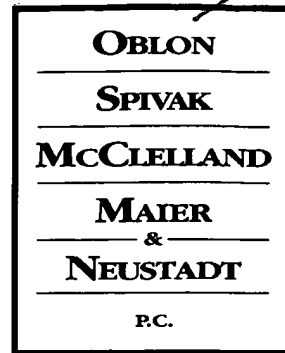
Image

DAK #5



Docket No.: 216583US0X CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/996,591

Date of Allow: 10/07/03

Applicants: Tamotsu KONDOW, et al.

Filing Date: November 30, 2001

For: METHODS FOR DETERMINING NUCLEOTIDE
SEQUENCES OF SINGLE NUCLEIC ACID
MOLECULES

Group Art Unit: 1634

Examiner: LU

SIR:

Attached hereto for filing are the following papers:

Petition under 37 CFR §1.182

Supplemental Application Data Sheet, 3 pages

Declaration, Power of Attorney, 4 pages, Executed

Our check in the amount of **\$130.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

Customer Number

22850

(703) 413-3000 (phone)
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Daniel J. Pereira, Ph.D.

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